

EXHIBIT A

From: Marc Dacier <marc.c.dacier@gmail.com>
Sent: Thursday, April 7, 2022 1:00 AM
To: Callahan, David (CH)
Subject: Re: Columbia v. NortonLifeLock --

David,

Since you have been brought into the case a week and a half ago, you may not have had time to read my testimony. I have nothing against Norton, per se, but the facts, stated in my testimony are, indeed, in my opinion, harmful for Norton's case. I am no fool and I can see now why the Quinn team has done what they have done over the years, while pretending to "represent" me. Having me repeating the facts once more is not going to change them.

M. Dacier

From: <david.callahan@lw.com>
Date: Thursday, April 7, 2022 at 1:54 AM
To: <marc.c.dacier@gmail.com>
Subject: RE: Columbia v. NortonLifeLock --

Marc:

I very much understand your frustration with the timing, and sincerely hope that you didn't take my requests as insensitive to your work and personal obligations. We were just brought into the case a week and a half ago, and are doing the best we can to make sure that Norton receives a fair trial. The issue of whether you can attend trial has become a significant issue in the case, with Columbia seeking an instruction from the judge to the jury that because you are not testifying at the trial, the jury can infer that it is because you have something harmful to say about Norton's case. For obvious reasons, we would like to avoid this, and would you to testify because we have nothing to hide.

Regarding the video testimony, are there any time periods in which you could make yourself available, even for a few hours? Understood regarding the religious holiday, which of course takes priority, but even if that cannot happen during normal business hours, we might be able to convince the Court to allow your testimony to be recorded and then played back at trial, so even if the video testimony needed to take place at, let's say, midnight Richmond time, it might still be workable (depending on what the judge says). We've done this before with overseas witnesses, starting testimony, for example, at 3 am Washington time.

Again, we are extremely aware that we are asking a lot on short notice, but would like to do everything we can to be able to present the full and complete facts at trial. We'd greatly appreciate any help you could give in this regard. Many thanks.

David K. Callahan

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From: Marc Dacier <marc.c.dacier@gmail.com>
Sent: Wednesday, April 6, 2022 11:14 AM
To: Callahan, David (CH) <david.callahan@lw.com>
Subject: Re: Columbia v. NortonLifeLock --

Dear David,

Would you be able to free 4 consecutive days (2 days in court and 2 days for the trip, at least) in your agenda next week or the week after? I guess not. It is the same for me. Remote testimony, due to the 7 hours time difference, would have to take place in the late afternoons which are quite busy for me with unmovable meetings already and the evenings, because of the ongoing Ramadan, is devoted to traditional dinners to which my presence is expected, by courtesy when invited.

Had you warned me months ago when you, most probably, had been given the trial dates, I could have frozen some days to make myself available. As it is, you will have to use my Brussels testimony to which, anyway, I do not have anything to add.

All the best,
M. Dacier

From: <david.callahan@lw.com>
Date: Wednesday, April 6, 2022 at 4:10 PM
To: <marc.c.dacier@gmail.com>
Subject: RE: Columbia v. NortonLifeLock --

Thanks very much for the quick response, Marc. I very much appreciate it. We understand that this is short notice, but it would be really helpful if you could come. We need to talk to the Court, but you could likely testify early to the middle of the second week of trial (in the April 18-20 timeframe) if that might help, giving you closer to 2 weeks before you would need to be in Richmond. Might that work?

One other possibility might be you testifying remotely, by video. Would you be willing to do that? Please note that the Court would need to agree to this approach, and might say that your testimony would only be accepted live, but we could at least ask if you'd be willing to give remote testimony. Thanks for your consideration.

Dave

David K. Callahan

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From: Marc Dacier <marc.c.dacier@gmail.com>
Sent: Wednesday, April 6, 2022 12:23 AM

To: Callahan, David (CH) <david.callahan@lw.com>

Subject: Re: Columbia v. NortonLifeLock --

Dear David,

I am more than willing to help but such an extremely short notice (6 days?) makes it impossible for me to come.

Marc

From: <david.callahan@lw.com>

Date: Wednesday, April 6, 2022 at 1:20 AM

To: <marc.c.dacier@gmail.com>

Subject: RE: Columbia v. NortonLifeLock --

Thanks Marc. Let's plan to talk at 9 am Sunday, I will send a calendar invite. This invitation will have numbers for whatever country you might be in; if you don't see the right one, let me know and we can sort it.

But in terms of why we're reaching out, Norton would very much like you to come testify at the upcoming trial in Richmond, which will be from April 12-22. The plaintiff, Columbia, has made a significant issue out of the fact that you're presently not slated to testify live in Court. As counsel for Norton, we would welcome your testimony at the trial to tell the truthful facts as you see them, and would make it as convenient as reasonably possible for you, including covering your reasonable out of pocket expenses to attend. You should only need to be in Richmond 1-2 days, and we can provide you a quiet place to work or relax while you're not in Court.

While we are fine waiting until Sunday to chat, we have a hearing with the Court on Thursday (day after tomorrow, our time), and it would be great if we could tell the Court that you're willing and able to attend trial. If you could let us know your willingness to attend by tomorrow, it would be much appreciated.

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From: Marc Dacier <marc.c.dacier@gmail.com>

Sent: Tuesday, April 5, 2022 2:46 AM

To: Callahan, David (CH) <david.callahan@lw.com>

Cc: Marc Dacier <marc.c.dacier@gmail.com>

Subject: Re: Columbia v. NortonLifeLock --

Dear David,

I'm fully booked for the rest of the week but could offer you to chat on Sunday, April 10 at 9.00am in Chicago or Tuesday April 12 at 9.00am in Chicago. Let me know if either of these two time slots work for you. If not, please exchange by email what it is that you expect from me.

I must admit to be a bit surprised by this sudden rush after years of inaction and the several calls with the Quinn team in which they repeatedly told me that there was no need for me to do anything, that they did not want me to do anything, that my testimony in Brussels was all that was needed. I'm happy to help the judicial process though, as I have continuously said so far.

I hope this helps,

M. Dacier

From: <david.callahan@lw.com>
Date: Tuesday, April 5, 2022 at 6:32 AM
To: <marc.c.dacier@gmail.com>
Subject: Columbia v. NortonLifeLock --

Hi Marc:

I'm a lawyer at Latham & Watkins, we're working with the Quinn team on this case, representing Norton. I'm following up on earlier communications from the Quinn team. I know you've been at conference and travelling, but I'm hopeful I can get 15 minutes of your time over the next day or two to chat about this case. We're about to conduct the trial in this case and for reasons I'd love to explain, there's been some confusion about your availability or willingness to testify. We'd very much like to see you testify at trial and expect we will have some flexibility in terms of timing. This is an important case for Norton, and we'd very much appreciate your cooperation. Please let me know if you might have a moment to talk. Anytime, at your convenience. Regards.

David K. Callahan

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